



PUBLIC NOTICE

Federal Communications Commission
45 L Street NE
Washington, DC 20554

News Media Information 202-418-0500
Internet: www.fcc.gov
TTY: 888-835-5322

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SATELLITE POLICY BRANCH INFORMATION

CUT-OFF ESTABLISHED FOR ADDITIONAL NGSO-LIKE SATELLITE SYSTEMS IN THE 37.5-40.0 GHz, 40.0-42.0 GHz, 47.2-50.2 GHz, AND 50.4-51.4 GHz BANDS

The Satellite Division initiates a new processing round for additional applications and petitions for declaratory ruling concerning operations in the 37.5-40.0 GHz, 40.0-42.0 GHz, 47.2-50.2 GHz, and 50.4-51.4 GHz frequency bands, collectively the “V-band,” by non-geostationary orbit fixed-satellite service (NGSO FSS) systems, pursuant to section 25.157 of the Commission’s rules.¹ These frequency bands were the subject of a prior processing round public notice and filing deadline.²

AST&Science LLC (AST&Science), Mangata Networks LLC (Mangata) and Viasat, Inc. (Viasat) have filed petitions concerning operations in these frequency bands. These requests, described below, were filed after the deadlines established for the prior processing round.

AST&Science requests market access for its planned constellation of 243 space stations, with the request limited at this time to FSS operations in the United States to support a mobile-satellite service (MSS).³ AST&Science plans to operate with U.S. gateway earth stations using the following frequencies: 37.5-42.5 GHz (space-to-Earth); 45.5-47.0 GHz, 47.2-50.2 GHz, and 50.4-51.4 GHz (Earth-to-space) frequency bands.⁴ AST&Science requests a waiver of the processing round rules.⁵

¹ 47 CFR § 25.157.

² See, e.g., *Boeing Application Accepted for Filing in Part; Cut-off Established for Additional NGSO-Like Satellite Applications or Petitions for Operations in the 37.5-40.0 GHz, 40.0-42.0 GHz, 47.2-50.2 GHz, and 50.4-51.4 GHz Bands*, Public Notice, 31 FCC Rcd 11957 (IB Nov. 1, 2016) (setting a March 1, 2017 deadline for additional applications).

³ See IBFS File Nos. SAT-PDR-20200413-00034, SAT-APL-20200727-00088, SAT-APL-20201028-00126.

⁴ See IBFS File No. SAT-APL-20201028-00126.

⁵ IBFS File No. SAT-PDR-20200413-00034, Petition for Declaratory Ruling at 11-12. This request will be considered in connection with any further action on this application.

Mangata requests U.S. market access for its planned constellation of 791 space stations, providing FSS and MSS.⁶ Mangata plans to operate FSS using the following frequencies: 37.5-39.5 GHz, 39.5-42.5 (space-to-Earth); and 47.2-50.2 GHz and 50.4-51.4 GHz (Earth-to-space) frequency bands.

Viasat requests modification of the terms of its grant of U.S. market access for its NGSO satellite constellation to include the provision of FSS in the 37.5-42.0 GHz (space-to-Earth); and 47.2-50.2 GHz and 50.4-51.4 GHz (Earth-to-space) frequency bands.⁷ ViaSat requests that its modification be treated as part of the prior V-Band Processing Round, under which the Commission granted ViaSat's initial request to provide U.S. market access.⁸

All three petitions have previously been accepted for filing and the comment periods have closed. Accordingly, the Satellite Division does not seek further comment on these petitions at this time.⁹

AST&Science and Viasat inclusions in this new processing round are provisional because both applicants have requested either a waiver of the processing round rules or inclusion in the prior V-band processing round. We will consider these requests as part of our consideration of the AST&Science and Viasat applications.

Additional Applications. We invite additional applications and petitions for declaratory ruling for NGSO satellite operations in the 37.5-40.0 GHz, 40.0-42.0 GHz, 47.2-50.2 GHz and 50.4-51.4 GHz bands. Applications and petitions filed by **November 4, 2021** will be considered together in this processing round. Requests filed after this date may not be entitled to shared use of this spectrum with equal status with respect to any grant of applications or petitions filed prior to the cut-off date for this new processing round. Applications must be filed electronically through IBFS at <http://licensing.fcc.gov/myibfs>.

Ex Parte Status. The above-listed applications are subject to the "permit-but-disclose" provisions of the Commission's rules governing *ex parte* communications. 47 CFR § 1.1206. To provide for uniformity of treatment and consistent with previous Public Notices initiating proceeding rounds, we will also treat any other applications considered in this processing round under the "permit-but-disclose" provisions of the *ex parte* rules.

Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or

⁶ See IBFS File No. SAT-PDR-20200526-00054.

⁷ See IBFS File No. SAT-MPL-20200526-00056.

⁸ *Id.*, Exhibit A, Description of Modification at 3-4. This request will be considered in connection with any further action on this application.

⁹ This processing round is specifically limited to the 37.5-40.0 GHz and 40.0-42.0 GHz (space-to-Earth), and 47.2-50.2 GHz and 50.4-51.4 GHz (Earth-to-space) frequency bands, which are allocated for non-Federal government use on a primary basis. We are not setting a deadline for, or inviting additional applications, for the 45.5-47.0 GHz (Earth-to-space) frequency band requested by AST&Science, and the 42.0-42.5 GHz (space-to-Earth) frequency band requested by Mangata. These frequency bands are not allocated for non-Federal FSS.

paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). Participants in these proceedings should familiarize themselves with the Commission's *ex parte* rules.

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